



County of Los Angeles CHIEF EXECUTIVE OFFICE

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October 19, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

LONG BEACH COURTHOUSE PARKING STRUCTURE RENOVATION (FOURTH DISTRICT) (3 VOTES)

SUBJECT

Approval of the recommended actions will provide the appropriate reimbursement to the Judicial Council of California, through its administrative arm, the Administrative Office of the Courts, for the County's \$2.7 million share of the \$11.1 million Long Beach Courthouse Parking Structure Renovation Project.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Acting as a responsible agency for the proposed project, consider the Mitigated Negative Declaration prepared and adopted by the Administrative Office of the Courts as lead agency, together with any comments received during the public review period; find on the basis of the whole record before the Board that the significant adverse effects of the project have been reduced to an acceptable level; find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board; and adopt the Mitigated Negative Declaration for the project.
2. Approve the project scope and budget for the Long Beach Courthouse Parking Structure Renovation Project, to be implemented by the Judicial Council of California.

3. Instruct the Chief Executive Officer to reimburse the Administrative Office of the Courts from the Criminal Justice Facilities Temporary Construction Fund, in an amount not to exceed \$2,743,000, upon presentation of invoices by the Administrative Office of the Courts.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On December 16, 2008, as part of the transfers of the various court facilities, the Board approved the County's immediate transfer of responsibility for the Superior Court's share of facilities operations at the Long Beach Courthouse Parking Structure to the Judicial Council. The Transfer Agreement provided, among other things, that the State and County would share both financial responsibility and equity interests in the property in the ratio 75.26 percent to 24.74 percent. At the same time, the County and the Judicial Council entered into a Joint Occupancy Agreement governing the behaviors of the State and County parties for the future. In addition, the Board authorized the transfer of title for the parking structure property, as well as the transition of management, both of building and grounds maintenance and of parking operations.

Without further affecting the parties' equity interests, title to the property was accepted by the State on August 10, 2009, and the Administrative Office of the Courts (AOC) assumed management of the parking structure and parking operations on July 1, 2010.

Under the Joint Occupancy Agreement, the County is responsible for its 24.74 percent share of all approved shared costs incurred by the AOC as managing party, including costs for maintenance, parking operations, and any improvements to the property, subject to a budget to be agreed upon by the two parties.

To complement the Judicial Council's new Long Beach Courthouse, currently in design, the AOC intends to implement a capital project for the renovation of the Parking Structure. The renovation project will:

- Return over 200 parking spaces to use by remediating concrete deterioration caused by inadequate water drainage on the top parking deck;
- Provide a safe and clear circulation route for pedestrians, including County staff, to and from the new courthouse, including separation of vehicle circulation and pedestrian circulation on the ground level;
- Provide a more comfortable and secure environment for County staff and other parking users through the addition of two passenger elevators serving all parking levels, as well as new lighting, signage and interior painting throughout;
- Strengthen the structure to meet seismic performance standards of the current California building code; and
- Extend the useful life of the 35-year old structure to better match that of the new courthouse.

In addition, according to the AOC, undertaking of the Parking Structure renovation concurrent with design and construction of the new courthouse will afford efficiencies and cost savings (to both the State and the County) that would not be realized if they undertook renovation as a separate project.

To the extent that portions of the parking are unavailable during construction, such that any of the 242 parking stalls that the County is entitled to are unavailable, the AOC commits to ensuring that alternative parking is made available to County staff in the surface lot behind the existing Long Beach Courthouse.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed recommendations will further the Board-approved County Strategic Plan Goal 1 (Service Excellence), demonstrating intergovernmental cooperation and provide the public with quality service that is beneficial and responsive.

FISCAL IMPACT/FINANCING

The total estimated cost of the proposed project is \$11.1 million, including \$8.1 million for hard construction costs and \$3.0 million for project soft costs; however, those costs will be incurred by the AOC's contract developer for the new Long Beach Courthouse, Long Beach Judicial Partners, and will be funded 75.26 percent by the State. The County will be invoiced only for our 24.74 percent share, anticipated to be \$2,743,000, which will be funded from the Criminal Justice Facilities Temporary Construction Fund. That Fund is anticipated to have a sufficient balance, through its ongoing revenues from court fines, by the time invoices are presented to the County for payment. The County will pay the AOC based on monthly invoices presented, less 10 percent. The 10 percent held in reserve will be paid to the AOC once the "Occupancy Readiness Certificate" signifying completion of the project is received from the AOC.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Performance standards for the renovation project and all renovations necessary to achieve those standards were designed by the structural and geotechnical engineering firm of Rutherford and Chekene, in cooperation with the architecture and parking planning firm of Watry Design, and approved by the AOC; the County did not participate in that design, nor were we asked to contribute to its costs. The renovation project will be implemented by the AOC's contract developer for the new Long Beach Courthouse, Long Beach Judicial Partners. The renovation project is anticipated to begin in February 2011 and to be completed in January 2012. As a reference, completion of the new Long Beach Courthouse is expected in spring 2013.

The Joint Occupancy Agreement for the Long Beach Courthouse Parking Structure provides a sufficient legal contract structure for cost sharing on the project, once the County approves the cost estimate for it.

ENVIRONMENTAL DOCUMENTATION

The County is acting as a responsible agency for the proposed project. The AOC as lead agency prepared an Initial Study and adopted a Mitigated Negative Declaration for the new Long Beach Courthouse, along with this project, on August 9, 2009. The recommended action's significant adverse effects of the project have been reduced to an acceptable level. The project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. The AOC has paid the fee. Upon your Board's finding that the project will not have a significant effect on the environment, the CEO will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing fees with the Registrar Recorder/County Clerk in the amount of \$75.

CONCLUSION

Upon approval of the recommendations, please forward an adopted copy of the Board letter to my office.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:BC:SK
DJT:MV:mc

c: Executive Office, Board of Supervisors
County Counsel
District Attorney
Mental Health
Probation
Public Defender
Public Health
Sheriff